

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

PRESQRIBER, LLC,

Plaintiff,

v.

**COLLABORATIVE CARE
DIAGNOSTICS, LLC (a/k/a BIOMEDIX)
AND NEMO CAPITAL PARTNERS, LLC**

Defendants.

Case No. 6:14-cv-861

PATENT CASE

JURY TRIAL DEMANDED

**AGREED MOTION TO DISMISS DEFENDANT COLLABORATIVE CARE
DIAGNOSTICS, LLC a/k/a BIOMEDIX WITHOUT PREJUDICE**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff Presqriber, LLC (“Presqriber”) with the agreement of Defendant Collaborative Care Diagnostics, LLC (a/k/a BioMedix) (“BioMedix”) files this agreed motion to dismiss without prejudice, with each party to bear its own costs, attorney’s fees and expenses.

Wherefore, Plaintiff Presqriber respectfully requests that the Court enter the proposed order of dismissal submitted with this motion.

Dated: January 6, 2015

Respectfully submitted,

/s/ Craig Tadlock
Craig Tadlock
State Bar No. 00791766
John J. Harvey, Jr.
State Bar No. 09179770
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Attorneys for Plaintiff Presqriber, LLC

CERTIFICATE OF CONFERENCE

I hereby certify that on December 31, 2014, I conferred by email with Defendant BioMedix and BioMedix has agreed to the form and substance of this motion. Accordingly, this motion is an agreed motion.

/s/ Keith Smiley
Keith Smiley

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 6th day of January, 2015.

/s/ Craig Tadlock
Craig Tadlock